

REMARKS

Favorable reconsideration of this application is respectfully requested.

Claims 28-64 are pending in this application. Claims 28-42, 49-60, and 62 are allowed. Claims 43, 44, 61, 63, and 64 were rejected under 35 U.S.C. § 102(e) as anticipated by U.S. patent 6,215,810 to Park. Claims 45-48 were objected to as dependent upon a rejected base claim, but were noted as allowable if rewritten in independent form to include all the limitations of their base claim and any intervening claims.

Initially, applicants gratefully acknowledge the early indication of the allowable subject matter.

Addressing now the rejection of claims 43, 44, 61, 63, and 64 under 35 U.S.C. § 102(e) as anticipated by Park, that rejection is traversed by the present response.

Initially, applicants note claims 43, 61, 63, and 64 are amended by the present response to make clarifications therein. Specifically, claim 43 now clarifies that in the transmitter the time spreading is performed “after the frequency spreading” and that in the receiver the frequency despreading is performed “after the time despreading”. Independent claims 61, 63, and 64 are amended to recite at least certain of such similar features.

According to the features recited in the above-noted claims, and with reference to Figs. 1 and 2 in the present specification as a non-limiting example, in a transmitter as shown in Fig. 1 a frequency spreading section 24 is provided and then subsequent to a frequency spreading operation performed therein a time spreading section 10a performs a time spreading. Similarly in the receiver in Fig. 2 initially a time spreading section 35 performs a time despreading and then subsequently a frequency despreading section 54 performs a frequency despreading. The features recited in the claims are believed to clearly distinguish over Park.

The basis for the outstanding rejection cites in Park at Figs. 3 and 4 and the disclosure at column 2, lines 4-58, column 3, lines 38-62, and column 4, lines 5-62 to disclose performing a frequency spreading and time spreading. The outstanding rejection also cites Park at Fig. 5 and at column 4, lines 62-67, and column 5, lines 1-55 to disclose performing a time despreading and frequency despreading. However, applicants respectfully submit the noted disclosures in Park do not disclose or suggest the claimed features.

Applicants respectfully submit Park does not in fact disclose a transmitter initially performing a frequency spreading and then subsequently forming a time spreading, and similarly a receiver initially performing a time despreading and then subsequently performing a frequency despreading.

With respect to the cited passages in Park, applicants first note that Park at column 2, lines 4-58 is merely directed to the background and is not even directed to the disclosure of the invention of Park. At column 3, lines 38-62 Park discloses arbitrarily selecting a subset of frequencies from among a set of available carriers for a parallel transmission, what Park describes as “selectively hopping the carrier”. At column 4, lines 5-62 Park discloses the operation in the device therein including a spreader 100 and a plurality of frequency hopping multipliers 110. However, in no portion does Park disclose or suggest that in a transmitter a *time* spreading is performed *after* a frequency spreading.

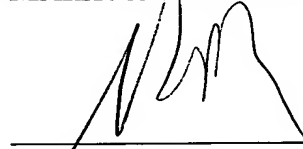
Similarly, in Fig. 5 and at column 4, lines 62-67 and column 5, lines 1-55 Park discloses a despreader 150 and then a subsequent frequency dehopping apparatus 170. Again in that instance Park does not disclose or suggest initially performing a *time* despreading and then *subsequently* performing a frequency despreading.

In such ways, Park does not meet the limitations recited in amended claims 43, 44, 61, 63, and 64. Thereby, those claims are believed to clearly distinguish over Park.

As no other issues are pending in this application, it is respectfully submitted that the present application is now in condition for allowance, and it is hereby respectfully requested that this case be passed to issue.

Respectfully submitted,

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